

*SAN DIEGO POLICE DEPARTMENT*

*POLICY MANUAL*



*- AMERICA'S FINEST CITY -*

*Revised 08/3/2016*

## **EXECUTIVE ORDER**

The San Diego Police Department serves the people of San Diego by performing our law enforcement function in a professional manner. We are ultimately responsible to the people we serve. To provide quality service to the community, we must rely on sound leadership, guidance and support. To this end, this Policy Manual is adopted for all members of the Department.

Policy consists of principles, values and philosophies, which guide the performance of members. It is based on police ethics and experience, the desires of the community and legal mandates. Policy is broad in scope so that it will encompass most situations. It is stated in general terms.

Methods of procedures will be disseminated in the form of Department Procedures. The Policy Manual and Department Procedures are available to all members via computer on-line. Policies and Procedures convey the same authority and require compliance by all members.

Each member must be familiar with the contents of the Policy Manual and the Department Procedures. Additions or changes will be made from time to time. Violations of any portion of the Policy and Procedures Manual may result in disciplinary action.

Commanding officers have the authority to issue special orders which may deviate from the Policy Manual as may be necessary for temporary or emergency purposes.

The Policy Manual cannot encompass all possible situations encountered in the general discharge of police duties. Because of this, members should use good judgment and common sense in determining their course of conduct and action while fulfilling their responsibilities as members of the Department.

The Policy Manual will not apply in such a way as to violate state or federal laws or abridge the constitutional rights of members of this Department. If, for any reason, any portion of the Policy Manual is held to be invalid, the remainder of the Policy manual shall not be affected.

David Nisleit  
Chief of Police

# **SAN DIEGO POLICE DEPARTMENT**

## **POLICY MANUAL**

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### **DEFINITIONS**

- Member** - Includes all employees of the Police Department, sworn and non-sworn.
- Officer** - Includes all sworn personnel.
- Superior** - A supervisor, a person higher in the chain of command or an officer of higher rank.

## **1.00 – ADMINISTRATION POLICIES**

### **1.01 DEPARTMENT POLICIES, PROCEDURES, ORDERS, COMMUNICATIONS AND CORRESPONDENCE (Revised 11/04/08)**

Department directives (i.e., Legal Updates, Orders, Policies, Procedures and Training Bulletins) are written directives that convey the same authority. All members of the Department will be held responsible for abiding by the information contained in Legal Updates, Orders, Policies, Procedures and Training Bulletins.

All members shall access Department directives via the Resource Library on the LAN or Automated Field Reporting (AFR) systems in accordance with Department Procedure 1.01.

### **1.02 DEPARTMENT ORGANIZATION TITLES**

Titles shall be used to identify particular ranks and groups under the charge of those ranks. (Refer to Department Procedure 1.02.)

### **1.03 PURSUIT POLICY**

Law violators shall be apprehended whenever feasible. A violator shall not be pursued to the point where the life of the officer, the violator or others is placed in jeopardy.

Officers shall be prepared to discontinue the pursuit if it becomes unreasonable under the circumstances. (Refer to Department Procedure 1.03.)

### **1.04 USE OF FORCE POLICY**

Members shall only use force in accordance with law and established Department procedures. Members shall not use more force than is reasonably necessary under the circumstances.

Department policy places a greater value on the preservation of life than on the apprehension of criminal offenders. Deadly force shall be used only when all reasonable alternatives have been exhausted or appear impractical.

Members shall not mistreat persons who are in custody. Members shall handle such persons in accordance with all laws and established Department Procedures. (Refer to Department Procedure 1.04, Use of Force.)

**1.05 FIREARMS POLICY**

Firearms shall be considered to be defensive weapons, to be used only when necessary to protect human life or to prevent serious bodily injury.

Department policy places a greater value on the preservation of life than on the apprehension of criminal offenders. Deadly force shall be used only when all reasonable alternatives have been exhausted or appear impractical.

Members authorized to carry firearms and ammunition shall do so in accordance with law and established Department procedures.

Members shall not draw or display firearms in the performance of duty except in situations known, or reasonably believed to be dangerous. (Refer to Department Procedure 1.05, Firearms Procedure.)

**1.06 USE OF LIQUID CHEMICAL AGENT POLICY (Revised 01/26/04)**

Liquid chemical agent shall only be used under circumstances when it is necessary to overcome violent physical force or resistance likely to result in injury to either the suspect, officer(s), or others present (Refer to Department Procedure 1.06, Use of Liquid Chemical Agent).

**1.07 USE OF TASERS POLICY (Revised 03/05/04)**

Any officer trained in its use shall be authorized to use a taser.

A taser may be used when lethal force is not justifiable or necessary; and attempts to subdue the suspect have been or will be ineffective; or it will be unsafe for officers to approach within contact range of the suspect. (Refer to Department Procedure 1.07.)

**1.09 CARRYING WEAPONS ON AIRLINES POLICY (Revised 01/26/04)**

Officers shall comply with regulations of the U.S. Department of Transportation and the Federal Aviation Agency for carrying firearms while on board aircraft.

Officers shall limit requests for carrying weapons aboard aircraft to situations in which safe completion of the mission requires the officer to be armed during flight (Refer to Department Procedure 1.09, Carrying Weapons on Airlines).

**1.10 CITIZEN COMPLAINT RECEPTION AND INVESTIGATION POLICY**

Members shall encourage citizens to bring forward legitimate grievances regarding inadequate police service or misconduct by members; and those complaints shall be received courteously and without delay.

Members shall assist and cooperate in the expeditious and impartial processing of citizen complaints within established procedures.

Members shall be informed of the nature of citizen complaints made against them and the disposition of those complaints. (Refer to Department Procedure 1.10.)

**1.11 COURT AND SUBPOENA POLICY (Revised 01/26/04)**

The San Diego Police Department shall generally accept for service all criminal, civil, and Civil Service Commission subpoenas if received a minimum of five court days prior to the court appearance date.

Officers may be individually served up to the court appearance date and may not refuse service due to short notice.

Members of the Department shall be required to accept personal service of summons in civil cases related to the performance of their duties. (Refer to Department Procedure 1.11, Court Procedures and Subpoenas.)

**1.12 OPERATION OF POLICE DEPARTMENT VEHICLES POLICY (Revised 10/22/08)**

Members shall comply with the rules of the road as outlined in the California Vehicle Code. Members shall not violate traffic laws without good and justifiable cause.

Members shall operate official vehicles in a careful and prudent manner. All members required to drive shall have a valid California driver's license. Loss, expiration, or suspension of their driver's license shall be immediately reported to their supervisor.

Members shall not use their personal vehicle for any assignment while on duty unless authorized to do so by their commanding officer.

Members shall not permit persons to ride in Department vehicles except in accordance with Department procedures.

Seat belts shall be used at all times by all Department employees, sworn and non-sworn either driving or riding in the front seats of any Department vehicle.

Members involved in a police equipment accident, shall notify the radio dispatcher, render first aid as necessary and assist at the scene until additional police units arrive. No statements concerning the accident or possible civil liability shall be made.

Members shall park police vehicles in non-emergency situations, according to all laws and parking regulations. (Refer to Department Procedure 1.12.)

**1.13 EMERGENCY VEHICLE OPERATION POLICY**

An emergency response shall be made when the officer reasonably believes there exists a serious danger to human life.

While responding to emergency calls, officers shall drive with DUE REGARD FOR THE SAFETY OF ALL PERSONS using the highway. (Refer to Department Procedure 1.13.)

**1.14 POLICY FOR REVIEWING POLICE EQUIPMENT ACCIDENTS (Revised 10/16/08)**

Commanding Officers shall be responsible for addressing inadequate or poor driving habits of their subordinates.

All police equipment accidents shall be investigated by Traffic Units and processed by the Traffic Division. A field supervisor shall be dispatched to oversee all police equipment accident investigations and will make a written report. (Refer to Department Procedure 1.14.)

**1.15 CONFIDENTIALITY OF SECURITY POLICY**

Security procedures are confidential and shall not be disclosed to any member of the public or the news media. (Refer to Department Procedure 1.15, Confidentiality of Security Procedures.)

**1.16 CITY OWNED TAKE-HOME VEHICLES POLICY**

City owned vehicles shall not be taken home or used outside of normal working hours unless specifically authorized by a commanding officer or higher authority. (Refer to Department Procedure 1.16, Off-duty Use of Department Take Home Vehicles.)

**1.18 PAYROLL POLICY**

Official timekeeping for the Police Department shall be administered by the Payroll Section of Fiscal Management. (Refer to Department Procedure 1.18.)

**1.19 BI-WEEKLY LABOR CARDS POLICY**

Members shall use bi-weekly labor cards on which daily entries are made.

Area Commanders shall be responsible for the security of employees' payroll checks. (Refer to Department Procedure 1.19.)

**1.20    OVERTIME COMPENSATION POLICY**

The Chief of Police shall follow City regulations to administer overtime in a manner consistent with fiscal responsibility and sound management.

Authority shall be delegated to each supervisor and manager in the department to manage overtime. (Refer to Department Procedure 1.20.)

**1.21    PURCHASING POLICY**

Members shall follow city administrative rules for processing requests for materials and services for the Police Department. (Refer to Department Procedure 1.21, Purchasing Procedures.)

**1.22    PETTY CASH FUND POLICY**

Petty cash funds shall be used for official City business and purposes for which authorized. Petty cash funds shall not be used for private gain. (Refer to Department Procedure 1.22, Petty Cash Fund Procedures.)

**1.23    DEPARTMENT EQUIPMENT ACCOUNTABILITY POLICY**

Members shall utilize Department equipment only for its intended purpose, in accordance with established Department procedures, and shall not abuse, damage, or, through negligence, lose Department equipment.

All Department equipment issued to members shall be maintained in proper order. Loss or damage to such equipment shall be promptly reported to the member's supervisor.

Equipment supplied by the Department, must be surrendered immediately, in good condition before an extended leave of absence, suspension, resignation, discharge or retirement. (Refer to Department Procedure 1.23, Department Equipment Accountability Procedures.)

**1.24    PROCESSING REQUESTS FOR COUNCIL ACTION / INTERFACE WITH CITY COUNCIL POLICY**

Information and support shall be lent to the City Council to facilitate the cooperative and efficient administration of the City within the rules set forth in the City Charter.

All inquiries to the City Manager's Office, Mayor and Council shall be handled by the Chief of Police or designee. (Refer to Department Procedure 1.24.)

**1.25 INSPECTIONS AND AUDITS POLICY**

Every commanding officer, in furtherance of Department goals and priorities, shall maintain accountability through the conduct of required inspections or audits of all personnel, equipment and functions assigned to the command. (Refer to Department Procedure 1.25, Inspections and Audits Protocol.)

**1.26 RELEASE OF CRIMINAL HISTORY, ARREST AND CRIME REPORTS, AND OTHER POLICE RECORDS POLICY (Revised 01/26/04)**

The Department shall control the release of and access to criminal history, crime and arrest reports and other police records; prevent the misuse of information contained in these reports; safeguard the privacy of individual citizens; and provide essential law enforcement information needs.

Members shall treat the official business of the Department as confidential. Any information regarding official business shall be disseminated in accordance with the law and established Department procedures.

Members may remove or copy official records or reports from a police installation only in accordance with established Department procedures. Members shall not divulge the identity of persons giving confidential information except as authorized by the proper authority in performance of police duties. (Refer to Department Procedure 1.26, Access and Release of Criminal Records.)

**1.29 DEPARTMENT MAIL MESSENGER SERVICE POLICY (Revised 11/05/08)**

All mail shall be packaged and clearly addressed to the appropriate division or unit with the correct mail station number. All small items of mail and loose forms shall be placed in inter-office envelopes. All items of a confidential nature shall be placed in an envelope. Multiple items to be sent to the same mail station number shall be bundled together. (Refer to Department Procedure 1.29, Department Mail Service.)

**1.30 PRESS RELEASE AND MEDIA RELATIONS POLICY**

Members shall provide factual, accurate and timely information to all news media on a fair and equal basis without jeopardizing the rights of crime victims or of persons accused of crime, and without compromising the security of any investigation or breaching any confidential relationship. (Refer to Department Procedure 1.30.)

**1.31 PRESS IDENTIFICATION CARD POLICY**

Press identification cards shall be issued by the San Diego Police Department only to qualified news media representatives. (Refer to Department Procedure 1.31.)

**1.45 USE OF CITY/DEPARTMENT COMPUTER SYSTEMS POLICY**

The use of Department computer equipment, electronic systems, and electronic data, including E-mail and the Internet, is subject to the City's Administrative Regulation 90.62. Under this regulation, all computer use is limited to Department business purposes only. E-mail and the Internet may not be used to transmit confidential, sensitive, or privileged City or Department information to unauthorized persons or organizations. Information sent over these systems, or stored on these systems, are Department property. There shall be no expectation of privacy in relation to information stored in or sent through these systems.

## **2.00 – COMMUNICATION POLICIES**

### **2.01 ASSIGNMENT OF RADIO TALKGROUPS AND PROPER RADIO POLICY**

Operational frequencies shall be assigned by the area command they cover. The Inquiry Frequency shall be used for special requests, queries in computer systems, and checking for wants/warrants on persons.

Special frequencies shall be used only in the manner outlined under proper radio procedures. (Department Procedure 2.01.)

### **2.02 COMMUNICATIONS UNIT DESIGNATOR POLICY**

The Commanding Officer of Communications shall be responsible for the administration and coordination of unit designators. (Refer to Department Procedure 2.02.)

### **2.06 TARASOFF DECISION POLICY**

Officers shall ensure the safety of potential victims and try to locate the suspect when psychotherapists contact the Department regarding one of their patients who may seriously injure another person. (Refer to Department Procedure 2.06.)

### **2.07 SIGALERT BULLETIN POLICY**

Sigalert bulletins shall be used as a means of advising the general public of emergency conditions that may exist within the county. (Refer to Department Procedure 2.07.)

### **2.08 AIR AMBULANCE POLICY (Revised 01/26/04)**

San Diego Police Department requests for air ambulances are generally channeled through Communications Division to the San Diego Fire and Life Safety Services (F&LSS) Department. However, if F&LSS Department personnel are on the scene, the requesting police unit should contact them directly. (Refer to Department Procedure 2.08, Air Ambulance Emergency Care Service.)

### **2.10 LANDLINE AND CELLULAR PHONE DEVICES POLICY**

Department land lines, telephones, wireless cellular devices, and fax machines are for business use. Personal use is discouraged.

Commanding officers shall be responsible for verification of all long distance calls charged to phones under their command. The Department Cellular Coordinator shall be responsible for auditing all Department cellular devices on a monthly basis. (Refer to Department Procedure 2.10.)

## **3.00 – INVESTIGATIONS POLICIES**

### **3.01     ORGANIZATION AND RESPONSIBILITIES OF CENTRALIZED, AREA, AND TRAFFIC INVESTIGATIONS POLICY**

Centralized units shall be classified as either "proactive" or "reactive." They shall have City-wide investigative or service responsibilities.

Any Area Command follow-up into offenses where specific investigative responsibility has been assigned to Centralized Units shall be with the knowledge of, and in coordination with, the Unit/Section having primary responsibility. (Refer to Department Procedure 3.01, Organization and Responsibilities of Centralized, Area, and Traffic Investigations.)

### **3.02    IMPOUNDING PROPERTY AND USE OF PROPERTY TAGS POLICY**

All property determined to be of some evidentiary or monetary value shall be impounded in the Property Room.

Property or other evidence, which has been discovered, gathered, or received in connection with Departmental responsibilities, shall be processed promptly in accordance with established Department procedures. Members shall not convert to their own use, conceal, falsify, destroy, remove, tamper with or withhold any property or other evidence found in connection with an investigation or other police action. Release or destruction of property shall conform with established Department procedures. (Refer to Department Procedure 3.02, Impound, Release, and Disposal of Property, Evidence, and Articles Missing Identification Marks.)

### **3.03    RELEASE AND DISPOSAL OF IMPOUNDED PROPERTY POLICY**

It shall be the responsibility of Police Personnel to establish the ownership of property impounded by the Police Department. (Refer to Department Procedure 3.03.)

### **3.04    MARKING PHYSICAL EVIDENCE POLICY**

Officers shall mark physical evidence taking care not to damage or reduce the evidentiary and monetary value. (Refer to Department Procedure 3.04, Marking of Physical Evidence.)

### **3.05    POLICY FOR DISPOSITION OF ARTICLES MISSING IDENTIFICATION MARKS**

Impounded property, which has the original identification marks or numbers removed, changed, covered, or defaced, shall be marked before being released to the owner(s).

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Any pistol, revolver or other firearm which has had the name of the maker, model, or the manufacturer's number or other mark of identification removed shall be assigned a new identification number by the San Diego County Sheriff's Licensing Section before being released to the lawful owner. (Refer to Department Procedure 3.02, Impound, Release, and Disposal of Property, Evidence, and Articles Missing Identification Marks.)

### **3.06 DISPOSAL OF ALCOHOLIC BEVERAGE CONTAINERS POLICY**

Alcoholic beverages required as evidence in felony cases, DWI cases, and, suspected stolen alcoholic beverages shall be impounded in accordance with impound procedures.

Confiscated alcohol beverage containers not required as evidence shall be poured out in front of the person arrested or cited or held for disposal at an area station. (Refer to Department Procedure 3.06, Disposal of Alcoholic Beverage Containers.)

### **3.07 INVESTIGATIONS POLICY (NEW 10/04/04)**

All Department members assigned to investigative teams or units shall abide by established Department Procedures as set forth in the Investigative Procedure Manual.

Investigative supervisors, lieutenants and captains shall comply with approved crime case management procedures and review of case procedures as defined in the Investigative Procedures Manual and in Department Procedure 1.25.

### **3.08 JUVENILE POLICY (Revised 11/20/08)**

Arrested juveniles shall be placed in detention (confinement) if it is compatible with the best interest of the juvenile and the community. Permission for detention shall first be obtained from the Field Lieutenant or Watch Commander. (Refer to Department Procedure 3.08, Juvenile Procedures.)

### **3.11 SCHOOL TRUANT POLICY (Revised 01/26/04)**

Truant juveniles shall be turned over to school authorities or parents/ guardians. (Refer to Department Procedure 3.11.)

### **3.13 NARCOTIC ENFORCEMENT POLICY**

All narcotics coming into the possession of members shall be impounded without exception.

An investigation shall be made of all reported or suspected violations of City, State and Federal narcotic laws. (Refer to Department Procedure 3.13.)

**3.16 INFORMANT POLICY**

Informant contacts shall be of a strictly professional nature. Off-duty social and personal business contacts shall be expressly prohibited. (Refer to Department Procedure 3.16.)

**3.17 MISSING PERSONS (Revised 11/19/08)**

Missing person reports shall be taken on all persons who have disappeared under other-than-normal circumstances. There is no waiting period before a missing person report can be filed. (Refer to Department Procedures 3.09, "At-Risk" Missing/Runaway Juveniles; 3.10, Not "At-Risk" Missing/Runaway Juveniles; 3.17, Missing Adults.)

**3.18 EXTRADITION POLICY**

The Department shall participate in the extradition of fugitives arrested in other states. (Refer to Department Procedure 3.18.)

**3.21 FIELD RELEASE AND/OR DROP/CHANGE OF CHARGE POLICY [849(b)(1) P.C.]**

Investigators shall prepare "Change of Charge" forms when they release specific charges due to insufficient grounds to obtain a criminal complaint or they change or add charges. (Refer to Department Procedure 3.21, Field Release and/or Drop/Change of Charge Form PD-1136-LA [849(b)(1) PC])

## **4.00 – LEGAL POLICIES**

### **4.02 EYEWITNESS IDENTIFICATION POLICY**

Officers shall avoid eyewitness identification procedures that suggest the guilt of a suspect to a victim or an eyewitness. (Refer to Department Procedure 4.02.)

### **4.05 PROTECTIVE ORDERS POLICY**

Officers shall enforce Domestic Violence Orders. (Refer to Department Procedure 4.05.)

### **4.10 REPOSSESSION POLICY**

Officers shall keep the peace, enforce any violations of criminal law, and avoid taking sides with either party in repossession matters. (Refer to Department Procedure 4.10.)

### **4.12 SUBSTANCE ABUSE TREATMENT FACILITIES POLICY (Revised 04/09/07)**

Officers generally shall not arrest a subject for being under the influence of drugs or alcohol when that subject is currently admitted, or en route, to an emergency facility or other authorized treatment center, and when that person has not violated any other laws. This also applies when relatives or friends call the police on behalf of the subject.

### **4.13 NON-OFFICIAL OR PERSONAL CUSTODY OF RECORDS/FILES/ RECORDINGS POLICY**

Members shall not maintain case files, records, photographs or recordings of investigations, contacts, or arrests of individuals for their own use, or as a private or personal file separate from the official police file or record which shall be stored and maintained at the San Diego Police Department. (Refer to Department Procedure 4.13.)

### **4.15 PROBATION, PAROLE, KNOCK AND TALK SEARCHES INCLUDING HIGH RISK ENTRIES AND OUTSIDE ASSISTANCE**

Members who conduct probation, parole, Fourth Amendment waiver, knock and talk or high-risk searches/sweeps shall do so in a lawful manner. Such searches/sweeps shall not be arbitrary, capricious or harassing. To ensure the lawfulness of the search/sweep, a supervisor is to be present and actively involved anytime a residence or building is searched pursuant to a parole or probation condition. Acting sergeants are not acceptable for this task.

An Operation Plan shall be completed prior to any pre-planned knock and talk search, parole or probation search, high-risk entry or search warrant service. Prior to the execution of the search, all personnel involved shall be briefed on the details of the search.

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In the event that a search takes place within another agency's jurisdiction, the sergeant supervising the operation shall notify the appropriate law enforcement agency where the search is taking place prior to arriving at the search location.

If the execution of a warrant requires the involvement of SWAT, the SWAT Unit commander shall be notified at the earliest opportunity.

All team members making tactical entries shall wear Department-approved body armor and appropriate visible identification so they are easily recognized as peace officers. If forced entry is required, the supervisor shall decide if the entry should be attempted. Entry shall be made in accordance with Knock and Notice as outlined in 844PC. When a forced entry is anticipated, mission planners shall use the Regional High-Risk Entry Checklist as a guideline. (Refer to Department Procedure 4.15, (Probation, Parole, and Knock and Talk Searches Including High- Risk Entries and Outside Assistance.)

## **5.00 – PERSONNEL POLICIES**

### **5.01 INJURY, ASSAULT AND MEDICAL BENEFITS POLICY**

Members shall immediately report any on-duty injury or illness to their supervisor. Off-duty members who are unable to report for duty due to illness or injury, shall report the fact immediately to their command or, if unavailable to the Watch Commander, no later than one hour prior to going on duty. Members shall report the nature of their illness or injury, whether attended by a physician, and the address and phone number where they may be contacted.

The member's command shall be contacted each subsequent workday unless the commanding officer indicates that less frequent contacts are satisfactory.

Members shall not feign or falsely report illness or injury, or attempt to deceive any supervisor of the Department as to the condition of their health.

If abuse is suspected, supervisors may visit a member who is off-duty with a reported illness or injury. Unless the attending physician recommends otherwise, supervisors shall be granted access to the member at any reasonable hour.

Members having any contagious disease in their families shall immediately notify their command for approval to report for duty. (Refer to Department Procedure 5.01.)

### **5.03 EQUAL EMPLOYMENT POLICY**

Members shall be permitted a work atmosphere free from discrimination and sexual harassment. Members shall not discriminate against, nor sexually harass other members. It shall be the responsibility of all supervisors to assure a non-discriminatory work environment. (Refer to Department Procedure 5.03.)

### **5.04 GRIEVANCE POLICY (Revised 10/21/08)**

The Human Resources Captain shall administer the grievance process and shall establish and maintain a routing and control procedure for all grievances originating within the Department. (Refer to Department Procedure 5.04.)

### **5.05 SMOKING POLICY (Revised 10/21/08)**

All members shall be provided with a smoke-free environment.

While on duty, members shall not smoke or use smokeless tobacco while conducting an investigation or interview or under other circumstances when it could be offensive to other individuals or where smoking and the use of smokeless tobacco is prohibited. (Refer to Department Procedure 5.05, Use of Tobacco Products.)

**5.06    OFFICER DEATHS POLICY**

The Department shall afford every consideration to the decedent's family. The family shall receive the maximum amount of assistance and support from the Department during this time. (Refer to Department Procedure 5.06.)

**5.07    TRANSFERS WITHIN THE DEPARTMENT POLICY**

The Chief of Police or designee shall have the responsibility of assigning and transferring personnel within the organization and will reserve the right to make any transfers deemed appropriate. (Refer to Department Procedure 5.07, Transfers Within The Department.)

**5.08    DIVISIONAL AND PERSONNEL FILES POLICY (Revised 09/10/07)**

The division personnel file is a working file for the short-term retention of informal documents pertaining to an employee's performance. The Department personnel file is a permanent repository for the retention of all formal and/or official documents pertaining to an employee's job performance and/or employment history. (Refer to Department Procedure 5.08, Divisional and Personnel Files.)

**5.09    EMPLOYMENT INTERVIEWS POLICY**

Employment interviews for the purpose of selecting sworn personnel for investigative and specialized assignments or new hires and promotions shall be conducted by supervisors who have completed the formal Appointing Authority Interview Training (AAIT) through the City Personnel Department. (Refer to Department Procedure 5.09, Employment Interviews.)

**5.10    UNIFORM, EQUIPMENT AND WEAPONS POLICY**

Members on duty shall wear uniforms or other clothing and be provided with equipment in accordance with established Department and city requirements.

Members on duty shall maintain a neat, well-groomed appearance, except when acting under proper and specific orders from a superior. (Refer to Department Procedure 5.10, Uniforms, Equipment, and Weapons.)

**5.11    REPAIR OR PLACEMENT OF EMPLOYEE'S PERSONAL PROPERTY POLICY**

Members shall follow city regulations for reimbursement of personal property damaged in the performance of their duties. (Refer to Department Procedure 5.11.)

**5.12 OUTSIDE EMPLOYMENT POLICY**

Employees shall not accept employment outside City service or participate actively in the management or operation of a business that would result in conflict of interest or reflect criticism or discredit on the employee or the city or that would affect the employees' efficiency in the performance of their regular duties.

Members seeking outside employment shall first obtain approval from their commanding officers. (Refer to Department Procedure 5.12.)

**5.13 EDUCATIONAL INCENTIVE**

All San Diego Police Officers of classified rank, who become qualified for an Intermediate or Advanced POST Certificate, shall be eligible for Educational Incentive Pay benefits. (Refer to Department Procedure 5.13.)

**5.14 TUITION REIMBURSEMENT PROGRAM POLICY (Revised 11/04/08)**

Eligible employees (sworn and non-sworn) shall be reimbursed, under certain conditions, 100% of tuition, textbooks and supplies up to a specified amount per fiscal year. (Refer to Department Procedure 5.14.)

**5.15 RECRUITMENT INCENTIVE PROGRAM POLICY (Revised 09/16/2008)**

Discretionary Leave shall be awarded to Department members who recruit employees that successfully complete specified training and/or probation. (Refer to Department Procedure 5.15, Recruitment Incentive Program.)

**5.16 EXCEPTIONAL MERIT PAY PLAN POLICY**

Non-sworn employees shall qualify for a cash award on the basis of exceptional sustained performance and/or exceptional performance on a project or assignment. (Refer to Department Procedure 5.16.)

**5.17 SERVICE AWARDS POLICY**

The Department shall have a Service Awards Program designed to give official recognition to heroic, meritorious or outstanding actions by sworn and non-sworn employees or Police Reserve officers. (Refer to Department Procedure 5.17.)

**5.18 DISCRETIONARY LEAVE POLICY**

Members shall be eligible for discretionary leave with pay for exceptional performance in their class of employment. (Refer to Department Procedure 5.18.)

## **6.00 – PATROL POLICIES**

### **6.01 HANDCUFFING, SEARCHING AND TRANSPORTING POLICY**

Members shall not mistreat persons who are in custody. Members shall handle such persons in accordance with all laws and established Department procedures.

Officers shall handcuff all prisoners with their hands behind them. Prisoners shall remain handcuffed whenever they are outside the confines of any jail, unless such handcuff procedure would hamper the conduct of any investigation or the physical condition of the prisoner would preclude such use.

The cord-cuff leg restrainer shall be used as a safety device to eliminate or reduce physical hazards in the restraining of violent or potentially violent prisoners.

Officers shall not apply the cord-cuff leg restraint to the head or neck of a suspect. (Refer to Department Procedure 6.01.)

### **6.02 BOOKING PROCEDURES POLICY (Revised 01/26/04)**

Officers shall thoroughly search prisoners prior to placing them in detention or correction facilities. (Refer to Department Procedure 6.02, Booking Procedures.)

### **6.04 CRIME REPORT POLICY**

The Chief of Police shall be responsible for furnishing a report of all felony and specified misdemeanor sex crimes to the State. The Chief's legal responsibility is delegated to all officers who have the legal duty to report any crimes that come to their attention.

Crime Analysis shall be the official repository for crime and arrest statistics generated by the Department. (Refer to Department Procedure 6.04, Crime Report Form.)

### **6.06 CRIME SCENE PROTECTION AND PRELIMINARY INVESTIGATION POLICY**

In most major crime cases the first uniformed officer to arrive at the scene shall be responsible for making the preliminary investigation.

The Department shall direct investigative efforts towards those areas that will be most productive in identifying criminal suspects and recovering stolen property. (Refer to Department Procedure 6.06, Crime Scene Protection and Preliminary Investigation Reporting.)

**6.09 HANDLING OF INJURED ANIMALS POLICY (Revised 01/26/04)**

Officers may destroy injured animals with a service weapon, if it can be done with complete safety and it would be more humane to do so based on the severity of the injuries. (Refer to Department Procedure 6.09, Handling of Injured Animals.)

**6.11 PHYSICAL EXAMINATION POLICY**

All victims and suspects of sex crimes shall be examined if the nature of the case indicates that evidence may be present. (Refer to Department Procedure 6.11, Physical Examination of Sex Crime Victims and Suspects.)

**6.12 PARAMEDIC AND EMERGENCY TREATMENT POLICY (Revised 02/11/11)**

Officers at the scene of a medical emergency shall administer first aid to the extent of their abilities until the Fire-Rescue Department personnel or paramedics arrive and assume medical control.

Officers transporting persons in need of emergency medical treatment shall take them to the nearest primary emergency facility. (Refer to Department Procedure 6.12, Paramedic Procedures and Emergency Treatment.)

**6.14 CODE SEVEN/COFFEE BREAK POLICY (Revised 12/24/08)**

Officers and uniformed non-sworn members shall take meals only for such period of time, and at such time and place as established by Department Procedures.

At no time shall officers and uniformed non-sworn members accept free meals or drinks, reduced prices, or any other consideration that is not regularly enjoyed by the public. (Refer to Department Procedure 6.14, Code Seven, Coffee Break.)

**6.15 RIDE-ALONG POLICY**

The Department encourages citizen ride-alongs as part of the community oriented approach to policing. (Refer to Department Procedure 6.15, Ride-Along Program.)

**6.16 POLICE SERVICE DOGS POLICY**

When a police service dog is used to affect an arrest, or in some other law enforcement capacity and a bite occurs, it shall be considered a utilization of force. (Refer to Department Procedures 6.16, Police Service Dogs and 1.04, Use of Force.)

**6.18 UNDOCUMENTED PERSONS POLICY**

All people shall be treated equally, without regard to their nationality.

Officers shall not initiate police contact solely because a person is suspected of being in violation of immigration laws. (Refer to Department Procedure 6.18, Adult Undocumented Persons and 3.08, Juvenile Procedures.)

**6.19 PUBLIC INEBRIATE POLICY (NEW 01/26/04)**

Officers shall employ protective custody for public inebriates through a voluntary non-criminal detoxification process, when possible. Chronic inebriates shall be referred to the Serial Inebriate Program for prosecution and subsequent incarceration. (Refer to Department Procedure 6.19, Public Inebriates.)

**6.22 POLICY FOR RELEASING MILITARY PERSONNEL ON A VOLUNTARY PROTECTIVE CUSTODY TURNOVER**

Officers arresting military personnel for minor misdemeanors shall, at their discretion and with the consent of those arrested, release them to the custody of military authorities.

When arrested service personnel decline a protective custody turnover, they shall be handled the same as civilian arrests. (Refer to Department Procedure 6.22, Procedures for Releasing Military Personnel on a Voluntary Protective Custody Turnover.)

**6.26 HATE CRIME POLICY (NEW 01/26/04)**

Department members are to take investigative and/or enforcement actions associated with any and all reported or observed incidents of violence or threats directed at an individual, institution, or business, motivated, all or in part, because of race, religion, national origin, ethnicity, sexual orientation, disability or gender. Department members will place special emphasis on victim assistance and community cooperation in order to reduce victim/community trauma or fear.

The proper investigation of reported crimes motivated by race, religion, national origin, ethnicity, sexual orientation, disability or gender is the responsibility of all San Diego Police Department members. Each member must be sensitive to the feelings, needs, and fears that may be present in the victim and the community as a result of incidents of this nature.

In addition to our existing procedures for reporting and investigating matters of this nature, the Chief of Police may conduct inquiries into any incident brought to his/her attention. Therefore, field supervisors apprised of such an incident will ensure notification as soon as practical to their chain of command and/or to the Watch Commander's Office. (Refer to Department Procedure 6.26, Hate crimes.)

## **7.00 – TRAFFIC POLICIES**

### **7.01 TRAFFIC ENFORCEMENT POLICY**

The enforcement of all traffic laws shall be administered equally and fairly, regardless of the persons involved, and based solely on the nature of the offense. (Refer to Department Procedure 7.01.)

### **7.02 TRAFFIC COLLISION INVESTIGATION POLICY**

Officers shall investigate all collisions which come to their attention that occur on a public street or highway, and all collisions that occur off-road on public or private property that involve a death, injury, drinking driver, hit and run or extensive property damage. (Refer to Department Procedure 7.02.)

### **7.05 ASSISTING STRANDED MOTORISTS POLICY**

Officers shall stop and offer assistance to stranded motorists on freeways and to motorists stranded on surface streets when it appears assistance can be rendered safely. (Refer to Department Procedure 7.05, Assisting Stranded Motorists.)

### **7.09 POLICE PROTECTIVE DETAILS POLICY (Revised 12/03/07)**

Police protective details are generally limited to the President or Vice President of the United States, or other dignitaries with prior approval of the Traffic Division Captain.

The San Diego Police Department Motorcycle Unit will have the primary responsibility for protective details. All pre-planning for protective details will be coordinated through this unit, which is a component of Traffic Division. (Refer to Department Procedure 7.09, Police Protective Details).

## **8.00 – CRITICAL INCIDENT POLICIES**

### **8.02    INCIDENT COMMAND SYSTEM (ICS) (New 01/26/04)**

The Department shall have the responsibility of providing protection for the lives and property of the citizens of San Diego and the continuation of essential services during periods of emergency.

Every effort shall be made in the management of critical incidents to restore order, prevent injuries or loss of life and reduce the potential of property damage utilizing the Incident Command System (ICS). (Refer to Department Procedure 8.02, Incident Command System.)

### **8.05    SWAT UNIT, PRIMARY RESPONSE TEAM AND SPECIAL RESPONSE TEAM POLICIES (Revised 01/26/04)**

The SWAT unit shall always be used in support of the Incident Commander and given its mission from that ranking officer. The SWAT team leader decides upon the method of accomplishing the mission. (Refer to Department Procedure 8.05, SWAT Unit, Primary Response Team and Special Response Team.)

### **8.07    POLICY FOR RECALLING OFF-DUTY PERSONNEL (Revised 05/04/09)**

The Department shall follow a "call-back" system of contacting off-duty personnel through a descending chain of command. "Test call-backs" shall be used to keep personnel familiar with the call-back procedure.

Off-duty sworn officers and civilian personnel who become aware of a large scale disaster or critical incident shall report for duty to their assigned duty station. (Refer to Department Procedure 8.07.)

### **8.09    MEDIA RELATIONS AT CRITICAL INCIDENTS POLICY**

The ranking Department member in command at a critical incident is responsible for providing appropriate information to the news media. (Refer to Department Procedure 8.09.)

### **8.10    MUTUAL AID POLICY**

The Chief of Police shall be responsible for requesting Mutual Aid when the Department is involved in a critical incident which may become or is already beyond the control of the Department's resources. (Refer to Department Procedure 8.10.)

**8.11    INCIDENT REPORT POLICY**

An incident report shall be prepared by the ranking field officer on all major incidents. (Refer to Department Procedure 8.11, Incident Report Procedures.)

**8.13    SWAT ARMORY AND SPECIAL EQUIPMENT POLICY**

No person, regardless of rank, shall be permitted to enter the Department SWAT armory without being accompanied by a member of SWAT. (Refer to Department Procedure 8.13.)

**8.14    INCIDENTS INVOLVING HOSTAGES POLICY (Revised 01/26/04)**

The preservation of life and prevention of injury shall be the determining factors when deciding the tactics to be utilized during incidents involving hostages. (Refer to Department Procedure 8.14, Incidents Involving Hostages/Emergency Negotiations.)

**8.15    ARSON INVESTIGATIONS, BOMB THREATS, BOMBINGS, EXPLOSIVES, AND PYROTECHNIC MATERIALS POLICY (Revised 01/26/04)**

Metro Arson Strike Team (MAST) investigators shall make the preliminary investigation at the scene of any suspected arson fire or bombing.

The Homicide Unit, with assistance from MAST, shall investigate arson death cases.

Area command investigators shall be responsible for bomb threats within their jurisdiction. (Refer to Department Procedure 8.15, Arson Investigation, Bomb Threats, Bombings, Explosives, and Pyrotechnic Materials.)

**8.18    RIVER RESCUE POLICY**

Officers shall be prohibited from making in-water rescues unless there is an immediate threat to the life of the victim. (Refer to Department Procedure 8.18, River Rescue Procedures.)

## **9.00 – PERSONAL CONDUCT POLICIES**

- 9.01 General Duties Policy (09-01-07)
- 9.02 Obedience to Rules (01/26/04)
- 9.03 Obedience to Laws (07/10/15)
- 9.04 Obedience to Lawful Orders
- 9.05 Conflicting Orders (01/26/04)
- 9.06 Unbecoming Conduct (01/26/04)
- 9.07 Immoral Conduct
- 9.08 Gifts or Gratuities (10/15/08)
- 9.09 Abuse of Position (01/26/04)
- 9.10 Endorsements and Referrals
- 9.11 Associations (04/21/04)
- 9.12 Visiting Prohibited Establishments (04/21/04)
- 9.13 Public Statements and Appearances (01/26/04)
- 9.14 Political Activity (01/26/04)
- 9.15 Performance of Duty (01/26/04)
- 9.16 Arrests
- 9.17 Reporting for Duty
- 9.18 Neglect of Duty (01/26/04)
- 9.19 Identification (01/13/09)
- 9.20 Courtesy (03/20/15)
- 9.21 Requests For Assistance
- 9.22 Patriotic Courtesy (01/26/04)
- 9.23 Alcoholic Beverages and Drugs in Police Installations
- 9.24 Substance Abuse Policy (12/16/10)
- 9.25 Payment of Debts (01/26/04)
- 9.26 Residence and Telephone (11/04/08)
- 9.27 Investigations (01/26/04)
- 9.28 Department Reports
- 9.29 Truthfulness
- 9.30 Medical Examination, Photographs, Lineups
- 9.31 Non-bias Based Policing (03/20/15)
- 9.32 Conflict of Interest Policy
- 9.33 Duty to Report Misconduct Policy (04/29/14)
- 9.34 Backgrounds and Recruiting Standards (05/05/15)

**9.01 GENERAL DUTIES POLICY (Revised 09/10/07)**

Officers on duty shall at all times, lawfully protect life and property, detect and arrest violators of the law, prevent crime, preserve the public peace and enforce the laws of the state of California and the ordinances of the City of San Diego. Prior to taking law enforcement action when off duty, officers who observe or who are told of criminal activity shall first consider contacting the appropriate law enforcement agency and have on duty officers respond.

In determining whether or not to intervene, the off duty officer should consider the totality of the situation. In a case where action is necessary to prevent death, the possibility of death or serious bodily injury, significant property damage or loss, the off duty officer should consider the offense involved, the difficulty that being off duty tactically and operationally presents, and/or other factors as articulated and observed by the officer.

When within the State of California, officers shall assist any law enforcement officer who appears to be in need of immediate assistance and shall assist in the prevention of the commission of any felony or in the apprehension of any felon. Officers shall also take appropriate action where a serious threat to life or property exists.

If an off duty officer intervenes in the criminal conduct, he/she must, if reasonably possible, identify themselves, their agency and their intent to stop the criminal conduct. Any law enforcement action taken will be governed by Department policies and procedures that apply to on duty personnel.

Officers outside the boundaries of California do not have peace officer status and therefore have only the rights and obligations of private citizens.

**9.02 OBEDIENCE TO RULES POLICY (Revised 01/26/04)**

Members shall not commit any acts nor fail to perform any acts that constitute a violation of the policies, procedures, directives or orders of the Department, the City of San Diego Administrative Regulations, the Personnel Regulations Manual, the Civil Service Rules, or the City Charter.

**9.03 OBEDIENCE TO LAWS POLICY (Revised 7/10/2015)**

Members shall obey all federal, state, county, and municipal laws. If any member is arrested, charged, indicted, or is knowingly under investigation for a criminal offense, excluding traffic infractions and parking violations, that member shall immediately report the incident to his or her supervisor or the Watch Commander, in person or by telephone. To report the incident, the member must actually speak with the supervisor or Watch Commander. Text messages and voice messages are not acceptable.

**9.04    OBEDIENCE TO LAWFUL ORDERS POLICY**

Members shall promptly obey any lawful orders of superiors. This includes orders relayed from a supervisor by someone of the same or lesser rank. While on duty and in the presence of others, members shall address superior officers by their titles.

**9.05    CONFLICTING ORDERS POLICY (Revised 01/26/04)**

Members who are given an otherwise proper order which is in conflict with a previous order, policy, procedure or directive shall respectfully inform the superior issuing the order of the conflict. If the superior issuing the conflicting order does not alter or retract it, the order shall stand and the superior shall be responsible for the conflicting order and members shall not be held responsible for disobedience of the order, policy, procedure or directive previously issued.

**9.06    UNBECOMING CONDUCT POLICY (Revised 01/26/04)**

Officers shall conduct themselves, both on and off duty, in such a manner as to reflect favorably on the Department. Officers shall not conduct themselves in any manner that could bring the Department into disrepute or reflects discredit upon the officer as a member of the Department, or impairs the operation and efficiency of the Department or officer.

Members shall not engage in any conduct that is unbecoming an employee of the Department, nor which impairs the operation of the Department.

**9.07    IMMORAL CONDUCT POLICY**

Officers shall maintain a level of moral conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any activity or incident involving moral turpitude that impairs their ability to perform as members of the Department or causes the Department to be brought into disrepute.

**9.08    GIFTS OR GRATUITIES POLICY (Revised 10/15/08)**

"Gift" or "Gratuity" as used herein, includes, but is not limited to, meals, beverages, money, property, loan, promise, service, or entertainment.

Members shall not solicit nor accept any gift or gratuity from any police-regulated business or person employed by, or having an interest in, a police-regulated business.

Members shall not solicit nor accept from any person, business or organization, any gift or gratuity for the benefit of the member or others if it may be reasonably inferred that the person, business or organization:

1. Seeks to influence action of an official nature or seeks to affect the performance or non-performance of an official duty; or
2. Has an interest that may be affected directly or indirectly by the performance of an official duty.

While on duty, members shall pay full price for any goods, products or services obtained.

**9.09 ABUSE OF POSITION POLICY (Revised 01/26/04)**

A. Use of official position or identification

Members shall not use their official position, official identification cards or badges for: (1) Personal or financial gain; (2) Obtaining privileges not otherwise available to them except in the performance of duty; or (3) Avoiding consequences of illegal acts. Members shall not lend their identification cards or badges to other persons nor permit their identification cards to be reproduced.

B. Use of name, photograph or title

Members shall not permit or authorize the use of their names, photographs or official titles in connection with testimonials or advertisements of any commodity or commercial enterprise if such use identifies the person as a member of the San Diego Police Department without the prior approval of the Chief of Police.

- C. Except as authorized, members shall not enter into official Department correspondence. (See DP 1.17, Department Correspondence)
- D. Members shall not use the Department's name or address, nor the address of any area station, for other than official purposes. Members shall not authorize the use of the Department's name, any Department address or their official titles on any personal correspondence, including, personal checks, credit cards and other items to be deemed for personal use without the prior approval of the Chief of Police.

**9.10 ENDORSEMENTS AND REFERRALS POLICY**

Members in an official capacity shall not recommend or suggest, in any manner, the employment or procurement of a particular product, or private professional or commercial service (such as attorney, ambulance service, towing service, bondsman, crime prevention materials, private investigator firms, etc).

**9.11 ASSOCIATING POLICY (Revised 04/21/04)**

Members shall not maintain associations or dealings with persons, whom they know or should know, are felons or suspected felons; registered sex offenders, involved in illicit narcotic activity; involved in violent crimes; or persons under criminal investigation or indictment that may adversely affect Department operations. Such associations are only permissible in the performance of authorized official duties.

**9.12 VISITING PROHIBITED ESTABLISHMENTS POLICY (Revised 04/21/04)**

Members shall not knowingly visit, enter or frequent a house of prostitution, unlawful gambling house, or establishment maintained for the purpose of conducting illegal activity, except in the performance of duty or while acting under proper and specific orders from a supervisor.

While on duty, members shall not visit any adult entertainment establishments unless for authorized official duties.

**9.13 PUBLIC STATEMENTS AND APPEARANCES POLICY (Revised 01/26/04)**

Members shall not publicly criticize or ridicule the Department, its policies or others by speech, writing or other expression, where this is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline or is made with reckless disregard for truth or known to be false.

Members shall not address public gatherings, appear on radio or television, lecture, prepare any articles for publication, act as correspondents to a newspaper or periodical, or release or divulge investigative information regarding police matters without the prior approval of the Chief of Police.

**9.14 POLITICAL ACTIVITY POLICY (Revised 01/26/04)**

Members shall not:

1. Use their official capacity to influence, interfere with, or affect the results of any election for political office;
2. Use or give the appearance of using their official status at any time or place for the purpose of soliciting contributions or attempting to exert influence in respect to any election for political office. This includes the use of title, wearing of the uniform or other apparel or badge or posing for campaign photographs in uniform;
3. Engage in any political activity during working hours or in any City work area; or,

4. Permit entry into any place under their control occupied for any purpose of the municipal government of any person for the purpose of therein making, collecting or receiving any subscription or contribution or giving any notice of political activity.

**9.15 PERFORMANCE OF DUTY POLICY (Revised 01/26/04)**

Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Members shall perform their duties in a manner that will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department. Unsatisfactory performance may be demonstrated by, but is not limited to, a lack of knowledge of the application of laws required to be enforced, an unwillingness or inability to perform assigned tasks, or the failure to conform to work standards established for the member's rank, grade or position.

Officers shall not fail to take appropriate action on the occasion of a crime disorder or other condition deserving police attention, or be absent without leave or be unnecessarily absent from their assigned area during a tour of duty.

The following will be considered prima facie evidence of unsatisfactory performance for all members: repeated poor performance evaluations or a written record of repeated infractions of the Department's policies, procedures, directives or orders.

**9.16 ARREST POLICY**

Members shall not make any arrest that they know is not in accordance with law and established Department procedures.

**9.17 REPORTING FOR DUTY POLICY**

Members shall report for duty at the time and place required by assignment or orders and shall be physically and mentally fit to perform their duties. They shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties. Off-duty members shall be subject to recall as needed, and shall report for duty as directed by any superior. Judicial or other lawfully issued subpoenas shall constitute an order to appear under this section.

Absence from duty without leave for a period of three days shall be considered a resignation and may be processed as such.

**9.18    NEGLECT OF DUTY POLICY (Revised 01/26/04)**

Members shall not engage in activities or personal business that would cause them to neglect or be inattentive to their duty.

Members shall remain awake on duty. If unable to do so, they shall advise their superior who shall determine the proper course of action.

**9.19    IDENTIFICATION POLICY (Revised 01/13/09)**

Whether on or off duty, officers and reserve officers shall carry or have in their immediate possession, their Department identification card, except when impractical, dangerous for their safety or when the act would hamper an investigation. The carrying of a badge or firearm shall be at the option of the officer. If an officer chooses to carry a badge, the Department identification card shall also be carried. If an officer chooses to carry a firearm, both the Department identification card **and** badge shall be carried.

Officers shall furnish their names and Department member identification numbers to any person requesting that information when they are on duty or while representing themselves as having official capacities, except when the withholding of such information is necessary for the performance of police duties or is authorized by the proper authority.

**9.20    COURTESY POLICY (Revised 03/27/15)**

Members shall be courteous to all persons. Members shall be tactful in the performance of their duties, shall control their tempers, exercise the utmost patience and discretion, and shall not engage in argumentative discussion even in the face of extreme provocation. Except when necessary to establish control during a violent or dangerous situation, no member shall use coarse, profane or violent language. Members shall not use insolent language or gestures in the performance of his or her duties. Members shall not make derogatory comments about or express any prejudice concerning race, religion, politics, national origin, gender (to include gender identity and gender expression), sexual orientation, or similar personal characteristics.

**9.21    REQUESTS FOR ASSISTANCE POLICY**

When any person requests assistance or advice, or makes complaints or reports, either by telephone or in person, all pertinent information shall be obtained in a professional and courteous manner and shall be properly and judiciously acted upon, consistent with established Department procedures.

**9.22**

**PATRIOTIC COURTESY POLICY (Revised 01/26/04)**

Patriotic courtesy and respect for the American flag is symbolic of the oath to support and uphold the U.S. Constitution. During the playing of the National Anthem and when the Pledge of Allegiance is being recited, officers shall render one of the following salutes to the American flag:

- 1) During the playing of the National Anthem, members in uniform shall stand at attention and render a military salute;
- 2) During the Pledge of Allegiance, members in uniform shall stand at attention and place their right hand over their heart;
- 3) During the Pledge of Allegiance indoors, members in uniform and wearing a hat, shall remove their hat and hold it in their right hand, over their heart;
- 4) During the Pledge of Allegiance outdoors, members in uniform and wearing a hat, shall leave their hat on; and,
- 5) Members in civilian attire shall stand at attention and place their right hand over their heart during either the National Anthem or the Pledge of Allegiance.

**9.23**

**ALCOHOLIC BEVERAGES AND DRUGS IN POLICE INSTALLATIONS POLICY**

Members shall not bring into, nor store, alcoholic beverages, non-prescribed controlled substances, narcotics or hallucinogens in any police facility or vehicle, except in the performance of duties or as authorized by the Chief of Police. Such items shall be processed in accordance with Department procedures.

**9.24**

**SUBSTANCE ABUSE POLICY (Revised 05/05/15)**

Illegal drug use or possessing, selling, furnishing, administering, transporting, cultivating, and/or processing illegal drugs will not be tolerated. This includes "street" drugs, anabolic steroids, and misuse of prescription medication.

Unjustifiable positive test results for alcohol will also subject employees to discipline. Members shall not drink intoxicating beverages while on duty except in the performance of duty and while acting under proper and specific orders from a superior. Members shall not appear for duty, nor be on duty, while under the influence of illegal drugs or intoxicants or with an odor of intoxicants on their breath. Unjustifiable positive test results for illegal drugs or a blood alcohol level of 0.02%, or above, for alcohol shall be considered a violation of this policy.

Members, while off duty, shall refrain from consuming intoxicating beverages

within eight hours of the beginning of a scheduled shift or overtime assignment, or to the extent that it results in a level of impairment, intoxication, or obnoxious or offensive behavior which would discredit them or the Department, or render them unfit to report for their next regular shift.

**9.25 PAYMENT OF DEBTS POLICY (Revised 01/26/04)**

Members shall not undertake any financial obligations that they know or should know they will be unable to meet. Repeat instances of financial difficulty may be cause for disciplinary action when the employee's job performance is adversely affected or Department operations are impaired.

Non-payment of debts in dispute between members and creditors shall not be the subject of disciplinary action. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good-faith effort to settle all accounts is undertaken.

**9.26 RESIDENCE AND TELEPHONE POLICY (Revised 11/04/2008)**

Members shall reside within the state of California and maintain the ability to respond for duty within 90 minutes. All members shall maintain a telephone that is accessible in their residence and must keep their command informed of their correct residential

address and telephone number. Members shall report any address or telephone number changes to their command within twenty-four hours of making the change.

Newly appointed members to the Department who reside outside the residential location requirement shall take up residence within the required distance no later than the completion of their probationary period.

**9.27 INVESTIGATIONS POLICY (Revised 01/26/04)**

Members shall not conduct any investigation, or other official action not part of their regular duties, without first obtaining permission from their superior, unless the urgency of the situation requires immediate police action. In those situations, the member must notify their superior of their actions as soon as possible.

**9.28 DEPARTMENT REPORTS POLICY**

Members shall submit all necessary reports on time and in accordance with established Department Procedures. Reports submitted by members shall be truthful and no member shall knowingly enter, or cause to be entered, any inaccurate, false or improper information.

**9.29 TRUTHFULNESS POLICY**

Members shall be truthful in all matters relating to their duties.

Upon the order of a superior, or any officer appointed by the Chief of Police to conduct internal investigations, and in accordance with Constitutional and contractual guarantees, including a right to representation, members shall truthfully answer all questions specifically directed and narrowly related to their scope of employment and operations of the Department.

**9.30 MEDICAL EXAMINATIONS, PHOTOGRAPHS, AND LINEUPS POLICY**

Upon the order of the Chief of Police or his designee, and in accordance with Constitutional and contractual guarantees, officers shall submit to any psychological, medical, ballistics, chemical or other tests, photographs or lineups that are specifically directed and narrowly related to a particular internal investigation being conducted by the Department.

**9.31 NON-BIAS BASED POLICING POLICY (Revised 3/27/15)**

The department does not tolerate bias based policing. Bias based policing occurs when law enforcement inappropriately considers factors such as race, religion, national origin, gender (to include gender identity and gender expression), lifestyle, sexual orientation or similar personal characteristics in deciding with whom and how to intervene in an enforcement capacity.

Members shall not base any enforcement action, in whole or in part, on race, religion, national origin, gender (to include gender identity and gender expression), lifestyle, sexual orientation or similar personal characteristics, except when members are looking for subjects or investigating crimes involving those specific descriptors.

Members shall make every effort to prevent and report instances of discriminatory or bias based policing practices by fellow members.

**9.32 CONFLICT OF INTEREST POLICY**

A Department member who, in his or her official capacity, becomes involved in any incident or investigation where a potential conflict of interest exists shall immediately inform his or her supervisor of such involvement. The decision as to whether the member may continue to be involved with the incident or investigation will be at the discretion of the member's supervisor or another ranking member of the Department.

**9.33 DUTY TO REPORT MISCONDUCT POLICY (04/29/14)**

Members shall immediately report misconduct by another member.

For the purpose of this policy misconduct means conduct that causes risk to the health and safety of the public, or impairs the operation and efficiency of the Department or member, or brings into disrepute the reputation of the member or the Department. The conduct could involve a violation of any law, statute, ordinance, City Administrative Regulation, Department policy or procedure, act of moral turpitude or ethical violation. In this context misconduct involves a willful act done with a wrong intention and is more than mere negligence, error of judgment or innocent mistake.

If any member has credible knowledge of another member's misconduct they shall take immediate, reasonable action to stop the misconduct, and the member shall report the misconduct to a supervisor as soon as possible.

Supervisors shall assess the validity of any allegation of misconduct by a member. If there is evidence of misconduct, or the allegation appears credible, then the supervisor shall immediately notify their chain of command and/or the watch commander's office.

**9.34 BACKGROUNDS AND RECRUITING STANDARDS (New 05/05/15)**

All Department members assigned to the Background Investigations Unit shall abide by established POST standards and guidelines in addition to the Backgrounds and Recruiting Operations Manual.